THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.19691 of 2002

11-08-2005

BETWEEN

Smt. Kalva Shobha, W/o Sri Balalingam, aged about 25 years,

Occ: Fair Price Shop Dealer, r/o Mucharla village,
Gambhiraopet Mandal, Karimnagar District.

…**PETITIONER**

AND

1. The Revenue Divisional Officer (FAC),

Sircilla, Karimnagar District.

2. The Mandal Revenue Officer,
Gambhiraopet Mandal, Karimnagar District.

…**RESPONDENTS**

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.19691 of 2002

ORDER: -

The writ petitioner is an authorized fair price shop dealer for distribution of essential commodities in Mucharla village, Gambhiraopet Mandal, Karimnagar District. The authorization No.C/1826/2001 dated
10-10-2001 issued in favour of the petitioner was cancelled by the impugned proceedings dated 18-09-2002.

2. The writ petition is filed raising various grounds namely that the impugned order is passed by going beyond the scope of the allegations made in the show cause notice. But, however, it is to be seen the said order is passed by the Primary Authority, the Revenue Divisional Officer, Sircilla, as per the Control Order. As against the impugned order, there is an appeal provided under the very Control Order to the Joint Collector and further revision to the District Collector.

3. In that view of the matter there is no reason to bye-pass the said statutory remedies available to the petitioner. As such, the writ petition is disposed of permitting the petitioner to prefer an appeal before the appellate authority within four weeks from the date of receipt of a copy of this order.

4. At the time of filing of the writ petition, this Court has suspended the impugned order, by order dated 08-10-2002 passed in W.P.M.P.
No.24727 of 2002. In that view of the matter, the impugned order remains suspended, till the disposal of the appeal to be preferred by the petitioner. However, it is further made clear if no such appeal is filed, it is open to the respondents to enforce the order.

5. Subject to the above directions, the writ petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

Dt.11-08-2005

GLV